

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

HELEN POLITZ

PLAINTIFF

VERSUS

CIVIL ACTION NO.:1:08CV18-LTS-RHW

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY, ET AL

DEFENDANTS

REPLY TO [425] RESPONSE TO [421] MOTION TO SEAL DOCUMENT

COMES NOW the Plaintiff, HELEN J. POLITZ, by and through her attorneys of record, DENHAM LAW FIRM, and would file this her Reply to [425] Response to [421] Motion to Seal Document, and in support thereof would show as follows:

I.

Plaintiff respectfully submits Plaintiff's [421] Motion is not moot as alleged by Nationwide. Although the Court ruled on Nationwide's Motion to File Under Seal Exhibit 2, Nationwide could have and should have redacted the personal, confidential and financial information contained in Plaintiff's deposition prior to placing the deposition in the public domain. Plaintiff's July 21, 2009, deposition contains information regarding Plaintiff's personal finances, her place of employment and sensitive information regarding her childhood.

II.

Plaintiff prays the Court will remove her July 21, 2009, deposition from public access and preclude Defendant from placing her July 21, 2009, deposition in the public domain by any means, including but not limited to, precluding Defendant from filing either document as an exhibit with the Courts PACER system.

III.

Because the facts and legal principles contained in this Reply have been fully

discussed and developed, Plaintiff respectfully requests that she be excused from submitting a separate memorandum brief in support of this Reply under Uniform District Court Rule 7.2(D).

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays the Court will seal and/or remove Exhibit "2" to [420] Nationwide's Reply to Response to Motion [404] Motion for Summary Judgment (Second Supplemental) from the Court's website to protect the Plaintiff's privacy.

Respectfully submitted,
HELEN J. POLITZ
BY: DENHAM LAW FIRM

BY: s/Kristopher W. Carter
KRISTOPHER W. CARTER
MS Bar No. 101963

I, KRISTOPHER W. CARTER, do hereby certify that I electronically filed the above and foregoing document with the Clerk of the Court utilizing the ECF system, which provides notification of said filing to the following:

Laura Limerick Gibbes, Esquire
Laura Louise Hill, Esquire
Watkins, Ludlam, Winter & Stennis, P.A.
Post Office Drawer 160
Gulfport, MS 39502-0160

Elizabeth Locke, Esquire
Daniel F. Attridge, P.C.
Thomas A. Clare, P.C.
Christian D.H. Schultz
Robert B. Gilmore, Esquire
Sean M. McEldowney, Esquire
Kirkland & Ellis LLP
655 15th Street, N.W., Suite 1200
Washington, DC 20005

Crockett Lindsey
U.S. Attorney's Office
1575 20th Ave.
Gulfport, MS 39501

SO CERTIFIED on this the 17th day of September, 2009.

s/Kristopher W. Carter
KRISTOPHER W. CARTER

KRISTOPHER W. CARTER, MS Bar No. 101963
DENHAM LAW FIRM
424 Washington Avenue (39564)
Post Office Drawer 580
Ocean Springs, MS 39566-0580
228.875.1234 Telephone
228.875.4553 Facsimile